

CHAPTER 139

AGRICULTURE MARKETING DIVISION

H. F. 57

AN ACT relating to the establishment of a marketing division within the Iowa department of agriculture, and to make an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. A marketing division, hereinafter referred to as the
2 division, is hereby created within the Iowa department of agricul-
3 ture. It shall be the duty of the division to do or cause to be done
4 those things designed to lead to more advantageous marketing of
5 Iowa agricultural products. To implement this purpose the division
6 may be, among other things, authorized by this act: (a) to investi-
7 gate the subject of marketing farm products; (b) to promote their
8 sales, distribution and merchandising; (c) to furnish information
9 and assistance concerning the same to the public; (d) to study and
10 recommend efficient and economical methods of marketing; (e) to
11 co-operate with the division of agriculture of the Iowa state college*
12 of agriculture and mechanic arts in its farm marketing education
13 and research and all unnecessary duplications should be avoided; and
14 (f) to gather and diffuse useful information concerning all phases of
15 the marketing of Iowa farm products in co-operation with other pub-
16 lic or private agencies. The division shall have a director appointed
17 by the secretary of agriculture upon approval of such appointment
18 by the agriculture marketing board.

1 SEC. 2. The director, under the general supervision and direction
2 of the secretary of agriculture, is empowered and directed: (a) to
3 appoint such competent and experienced persons to assist him in the
4 performance of his duties and powers as may be necessary to effec-
5 tuate the purposes of this section, and to delegate to any employee of
6 such division any of the powers and duties conferred upon the direc-
7 tor; (b) to investigate into methods and practices in connection with
8 the processing, handling, standardizing, grading, classifying, sorting,
9 weighing, packing, transportation, storage, inspection and merchan-
10 dising of farm and food products within the state and all matters
11 relevant thereto; (c) to co-operate with the Iowa state college* of
12 agriculture and mechanic arts extension service in disseminating
13 information relative to such matters described in (b) above; (d) to
14 ascertain sources of supply of Iowa farm and food products, and
15 prepare and publish from time to time lists of names and addresses
16 of producers and consignors thereof and furnish the same to persons
17 applying therefor; (e) to perform the acts of inspection and grading,
18 or both, of any farm product where requested by any person, group
19 of persons, partnership, firm, company, corporation, co-operative, or
20 association engaged in the production, marketing, or processing of
21 such farm products, providing such person or persons, partnership,
22 firm, company, corporation, co-operative, or association is willing to
23 pay for such services under such rules and regulations as he may
24 prescribe, including payment of such fees as he may deem reasonable,
25 for the services rendered or performed by employees of the division

*See chapter 74.

26 of marketing. Such standards, grades, or classification shall not be
27 lower in their requirements than the minimum requirements of the
28 official standards for corresponding standards, grades and classifica-
29 tions commonly known as United States grades promulgated from
30 time to time by the secretary of agriculture of the United States;
31 (f) to make rules and regulations necessary to carry out the provi-
32 sions of this section.

1 SEC. 3. The division may accept grants and allotments of funds
2 from the federal government and enter into co-operative agreements
3 with the secretary of agriculture of the United States for projects
4 to effectuate any of the purposes of this division as described herein;
5 and to accept grants, gifts or allotments of funds from any person,
6 firm, co-operative, corporation, or association for the purpose of
7 carrying out the provisions of this section for which an itemized ac-
8 counting must be made by the director to the Iowa secretary of agri-
9 culture at the end of each fiscal year.

1 SEC. 4. All fees collected as a result of the inspection and grading
2 provisions set out herein shall be paid into the state treasury, there
3 to be set aside in a separate fund which is hereby appropriated for
4 the use of the division except as indicated. Withdrawals therefrom
5 shall be by warrant of the state comptroller upon requisition by the
6 director approved by the secretary of agriculture. Such fund shall
7 be continued from year to year, provided, however, that if there be
8 any balance remaining at the end of the biennium which, in the
9 opinion of the governor, state comptroller and secretary of agricul-
10 ture, is greater than necessary for the proper administration of the
11 inspection and grading program referred to herein, the treasurer of
12 state is hereby authorized on the recommendation and with the ap-
13 proval of the governor, state comptroller and secretary of agricul-
14 ture, to transfer to the general fund of the state that portion of such
15 account as they shall deem advisable.

1 SEC. 5. A certificate of the grade, or other classification, of any
2 farm products issued under this Act shall be accepted in any court
3 of this state as prima facie evidence of the true grade or classifica-
4 tion of such farm products as the same existed at the time of their
5 classification.

1 SEC. 6. There is hereby established an agriculture marketing
2 board, to be thus known and designated.
3 The agriculture marketing board shall be composed of the secre-
4 tary of agriculture and the dean of agriculture at Iowa state college*
5 of agriculture and mechanic arts who shall serve as members of the
6 advisory board without vote, and a producer member from each of
7 the following statutory associations: Iowa swine producers associa-
8 tion, Iowa beef cattle producers association, Iowa state sheep associa-
9 tion, Iowa poultry and hatchery association, Iowa state dairy asso-
10 ciation, Iowa crop improvement association, and state horticulture
11 society. The names of three (3) persons shall be certified to the
12 secretary of agriculture by the presidents of the Iowa swine pro-

*See chapter 74.

13 ducers association, Iowa beef cattle producers association, Iowa poul-
14 try and hatchery association, and state horticulture society by June 1
15 of each odd-numbered year. The secretary of agriculture shall ap-
16 point by July 1 one of these three (3) from each organization to the
17 agriculture marketing board. Such an appointee shall serve for a
18 period of two (2) years beginning on July 1 of the year of his ap-
19 pointment and until his successor is appointed or qualified. Three
20 (3) names shall be submitted and appointments made in the same
21 manner in even-numbered years for representation from the Iowa
22 state dairy association, Iowa state sheep association, and Iowa crop
23 improvement association. However, in 1959 the appointees from the
24 Iowa state dairy association, state horticulture society, and Iowa crop
25 improvement association shall be selected as provided in this section
26 and shall serve only until their successors are appointed and qualified
27 in 1960. Any vacancy occurring in the agriculture marketing board
28 shall be filled within two (2) months of the vacancy in the manner
29 provided in this section.

30 Appointive members of the board shall receive actual necessary
31 expenses and mileage at the rate of seven (7) cents per mile in-
32 curred while engaged in the business of the agriculture marketing
33 board.

1 SEC. 7. The duties of the agriculture marketing board shall in-
2 clude the following: (1) to elect a chairman, a secretary, and from
3 time to time such other officers as it may deem advisable; (2) to
4 administer this chapter and perform all acts and exercise all powers
5 reasonably necessary to effectuate the purposes of this Act; (3) to
6 employ at its pleasure and discharge at its pleasure such advertising
7 counsel, clerks, and employees as it deems necessary, and to prescribe
8 their duties and powers; (4) to establish offices and incur any and all
9 expense, and to enter into any and all contracts and agreements for the
10 proper administration and enforcement of this Act; (5) to keep
11 accurate books, records, and accounts of all its dealings, which books,
12 records and accounts shall be audited annually by the auditor of state.

1 SEC. 8. The marketing division, the agriculture marketing board
2 or an employee or representative of either said division or board shall
3 not engage in legislative programs nor attempt in any manner by the
4 adoption of rules, regulations, resolutions or otherwise, to influence
5 legislation affecting any matters pertaining to the activities of this
6 marketing division.

1 SEC. 9. To effectuate the purposes of this Act and to defray the
2 expenses thereof, there is hereby appropriated out of the general
3 fund the sum of twenty thousand dollars (\$20,000.00) for each year
4 of the biennium ending June 30, 1961.

Approved May 5, 1959.